



TOWN OF ASHFIELD  
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June 1, 2006

Andrea Nixon  
Clerk, Cable Television Division  
Department of Telecommunications and Energy  
One South Station  
Boston, MA 02111

Dear Clerk,

The Town of Ashfield would like to register its strong opposition to Verizon's March 16, 2006, rulemaking petition filed with the Cable Division of the Department of Telecommunications and Energy. Verizon's petition proposes extremely unreasonable new rules for initial cable licensing.

The proposed rules would require a municipality to hold a public hearing on an initial cable television license application within 60 days of the application filing, and would require only 30 days from the time of the public hearing for the municipality to approve or disapprove the application, and issue the actual license in case of approval.

As most local officials will tell you, it is impossible to conclude a proper initial license application review, negotiation, license drafting and issuance within 30 days of the public hearing. Such an initial licensing time frame would be untenable in the best of circumstances, and is particularly untenable now in light of the many questions of first impression and complex issues raised by the non-standard terms and conditions commonly reported to be included in Verizon-proposed cable licenses.

As you know from RCN's initial licensing experience, cable operators willing to negotiate customary and standard cable licenses enjoy reasonable and fast municipal licensing. The existing license timetables have worked well for decades. They should not be changed at the behest of a single proponent. Note that Congress contemplated and provided for a three-year renewal process when it more comprehensively and carefully set forth cable licensing rules in the 1984 Cable Act. This framework worked well for decades and there is no rational basis for casting aside the time tested licensing rules and replacing them with radically abbreviated rules.

Small communities like the Town of Ashfield, do not have the appropriate staff and professionals to contemplate the unreasonable time changes in these proposed new rules. Our committees and town officials are essentially volunteer and most all of our staff part-time. These changes would impose unreasonable time restraints on our already overburdened and under-funded town government structures. It would also impose unreasonable financial hardship on us by forcing the Town to hire professionals at a premium cost to handle these matters in this proposed expedited time frame.

Municipal officials who are responsible for implementing licensing and who are accountable to the public are in opposition to these proposed rules. Municipal officials are concerned that under the proposed rules, our community and cities and towns across the commonwealth will be boxed into an untenable 30 day post-hearing licensing process, and will lose the ability to properly review and negotiate Verizon cable proposals. This is not even close to what is reasonably needed for a fair and reasonable licensing process. The Massachusetts Cable Division should reject the Verizon petition and allow local officials to continue serving their constituents as they have been doing for decades.

Thank you for your attention to this matter. If you have any further questions or desire further comment, please do not hesitate to contact me.

Sincerely,

Andrea Llamas,  
Town Administrator  
Town of Ashfield